

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE:)
)
STEPHEN EUGENE MALINICH) CHAPTER 7
)
Debtor) No. 19-13346


ORDER

AND NOW, this 26th day of June, 2019, upon the motion of Debtors to avoid an alleged judicial lien CV-385-2018 filed in MDJ 02-1-02, David P. Miller, Lancaster, Pennsylvania, or nonpossessory, nonpurchase money security interest [if relevant] of Discover Bank in Debtors' exempt, real or personal property located at 240 Valley Road, Lancaster, Pennsylvania, and upon Debtors having asserted that the alleged lien is subject to avoidance pursuant to Section 522(f)(1), 11 U.S.C. § 522(f)(1), and upon Debtor[s] having certified that adequate notice of the motion was sent to the lienholder and that no answer or other response to the motion has been filed.

IT IS HEREBY ORDERED that the motion is granted by default and the above judicial lien and/or a nonpossessory, nonpurchase money security interest of Capital One Bank (U.S.A.), N.A. if any, in Debtors' real or personal property located at 240 Valley Road, Lancaster, Pennsylvania, is avoided to the extent it impairs Debtors' exemption.

IT IS FURTHER ORDERED, pursuant to Section 349(b)(1)(B), 11 U.S.C. §349(b)(1)(B), that dismissal of this case reinstates any lien voided under Section 522.

BY THE COURT


Magdelaine D. Coleman
Chief United States Bankruptcy Judge